

### **REMARKS**

The present Amendment amends claims 2, 4, 6, 7 and 9, and cancels claims 1, 3, 5, and 8. Therefore, the present application has pending claims 2, 4, 6, 7 and 9.

#### **Allowable Subject Matter**

The Examiner indicated that claims 2, 4, 6, 7, and 9 would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. Applicants have amended claims 2, 4, 6, 7, and 9 in the manner suggested by the Examiner. Accordingly, claims 2, 4, 6, 7, and 9 are in condition for allowance.

#### **35 U.S.C. §112 Rejections**

Claims 1-9 stand rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. As previously indicated, claims 1, 3, 5, and 8 were canceled. Therefore, this rejection regarding claims 1, 3, 5, and 8 is rendered moot. This rejection regarding the remaining claims 2, 4, 6, 7, and 9 is traversed for the following reasons. Applicants submit that claims 2, 4, 6, 7, and 9, as now more clearly recited, are in compliance with the provisions of 35 U.S.C. §112.

#### **35 U.S.C. §103 Rejections**

Claims 1, 3, 5 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,779,113 to Guthery in view of U.S. Patent No. 5,539,825 to Akiyama, et al. ("Akiyama"). As previously indicated, claims 1, 3, 5, and 8 were canceled. Therefore, this rejection regarding claims 1, 3, 5, and 8 is rendered moot.

In view of the foregoing amendments and remarks, Applicants submit that claims 2, 4, 6, 7, and 9 are in condition for allowance. Accordingly, early allowance of claims 2, 4, 6, 7, and 9 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (referencing Attorney Docket No. 501.42780X00).

Respectfully submitted,

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